

MILPITAS OVERSIGHT BOARD

TO THE CITY OF MILPITAS ACTING AS THE RDA SUCCESSOR AGENCY

455 EAST CALAVERAS BOULEVARD, MILPITAS, CA 95035-5479
GENERAL INFORMATION: 408-586-3000 www.ci.milpitas.ca.gov

MILPITAS OVERSIGHT BOARD MEETING

Milpitas Community Center Large Meeting Room (7 & 8)
457 East Calaveras Blvd.
Milpitas, CA 95035

MEMBERS:

Jane Corpus
Bruce Knopf, Vice Chair
Mike McInerney, Chair
Michael Mendizabal
Althea Polanski
Matthew Tinsley
Glen Williams

ALTERNATES:

Alan Minato

Suzanne Carrig
Michael Fogelstrom

Minutes of the June 14, 2017 Meeting

I. CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE

Chair McInerney called the meeting to order at 1:31 p.m. Chair McInerney introduced and welcomed Chief Steve Pangelinan, the Acting City Manager, and Mr. Will Fuentes, the new Director of Finance. Mr. Fuentes stated he will be joining the Board at the next regular meeting with Ms. Corpus continuing to serve as an alternate.

ROLL CALL

MEMBERS PRESENT: Jane Corpus, Bruce Knopf, Mike McInerney, Althea Polanski, Matthew Tinsley and Glen Williams

MEMBERS ABSENT: Mike Mendizabal

II. PUBLIC FORUM: None

III. APPROVAL OF AGENDA

Moved by Mr. Knopf and seconded by Ms. Polanski to approve the agenda. The motion passed unanimously.

IV. APPROVAL OF MINUTES: March 13, 2017 Meeting.

Moved by Mr. Williams and seconded by Ms. Polanski to approve the minutes of March 13, 2017. The motion passed by the following vote: **AYES:** Corpus, McInerney, Polanski, Tinsley and Williams **NOES:** 0 **ABSENT:** Mendizabal **ABSTAIN:** Knopf.

V. OLD BUSINESS: POSTPONED ITEM: Receive and Consider Report and Alternative Resolutions from the Ad Hoc Committee of the Oversight Board Regarding Disposition of 230 N. Main Street Listed on the Long Range Property management Plan as Property No. 3.

1. Alternative A: Resolution No. 86 of the Oversight Board of the Successor Agency of the Former Milpitas Redevelopment Agency Approving a Request for Proposals (RFP) for the Sale of Property Located at 230 N. Main Street, Milpitas, California, and listed on the Long Range Property Management Plan as Property No. 3.
2. Alternative B: Resolution No. 86 of the Oversight Board of the Successor Agency of the Former Milpitas Redevelopment Agency Amending the Long Range Property Management Plan to Authorize Retention of Property No. 3 Located at 230 N. Main Street, Milpitas, California for Governmental Use.

Ms. Montoy presented the staff report explaining Resolution 86 Alternatives A and B. She also reported that several hours before the meeting started, the Board had received a letter from the Milpitas City Attorney in support of Alternative B.

Three members of the public, including Mr. Jerry Epps and Mr. Pete McHugh, both residents of Milpitas, all spoke in support of retaining 230 N. Main Street for governmental use and turning it over to the City to develop as a community park.

Chief Pangelinan told the Board that there is overwhelming community support for having a public park at 230 N. Main Street reflected by the fact that over 80 percent of Milpitas voters supported Measure K in the November 2016 election. Therefore, as a representative of the community he recommends approval of retaining the property for governmental use.

Board Member Polanski commented that she was on the City Council when the City purchased the parcel and the City did so because the Council had overwhelming numbers of people, citizens of Milpitas, saying they wanted a park at that location. She was also the Council's representative to the Parks, Recreation, and Cultural Resources Commission that worked with community members and groups, including the Milpitas Historical Society, on development plans for that park that were tremendous. She knows the citizens of Milpitas want a community park, and she strongly agrees with them. She also believes that although the current City Council is completely different from the one that purchased the property, it strongly supports open space. Therefore, she requests the Board support Resolution Alternative B and send it to the State and see what happens.

Board Member Williams stated his opinion that no Board member is opposed to a park on this parcel. He identified three factors that, in his view, did not give the Board the flexibility to adopt Alternative B. First, the property does not meet the technical requirements established by the State Legislature to be eligible for the Board to retain the parcel for governmental use. Second, the Dissolution Law does not allow the Board to modify a Long Range Property Management Plan once the State has approved it, except for the singular exception that the Legislature created for parking lots. Third, the City, the County, the County Office of Education and the State of California entered into a settlement agreement that calls for this parcel to be sold to maximize the financial return to the taxing entities.

Board Member Knopf also indicated that Board Members have a great deal of sympathy for meeting the expectations of the citizens of Milpitas. He compared the status of 230 N. Main Street to a situation where a developer owns several parcels within a City and as part of gaining approval of a development on one parcel agrees to donate another parcel for a school site. The City zones the one parcel for a school and before the City grants the other entitlements, the developer goes out of business. The community wants a school on the parcel but the school project is unable to proceed without a different owner committed to a school use. In the case of 230 N. Main Street, the Successor Agency owns the property, because it was purchased by the Redevelopment Agency and not by the City, but under the Dissolution Law has no authority to build a park. The City has the authority to build a park but must own the property to proceed. Mr. Knopf encouraged the City to consider making a bid on the property if the Board proceeds with a RFP process. If the City's bid is successful, then everyone is happy.

Moved by Mr. Knopf and seconded by Mr. Williams to adopt Resolution 86, Alternative A, with one modification to extend the submission date for the RFP to 120 days instead of 90 days. Before the Board acted on this motion, there was a motion to have a substitute motion.

Moved by Ms. Polanski and seconded by Ms. Corpus to have a substitute motion to the primary motion: The motion failed by the following vote: **AYES:** Corpus and Polanski **NOES:** Knopf, McInerney, Tinsley and Williams. **ABSENT:** Mendizabal **ABSTAIN:** 0

The Board then returned to the motion by Mr. Knopf and seconded by Mr. Williams. The motion passed by the following vote: **AYES:** Knopf, McInerney, Tinsley and Williams **NOES:** Corpus and Polanski **ABSENT:** Mendizabal **ABSTAIN:** 0

VI. NEW BUSINESS

Consider Resolution No. 87 Approving Second Amendment to Administrative Services Agreement between the County of Santa Clara and the Oversight Board of the successor Agency of the Milpitas Redevelopment for Continued Administrative Support Services.

Ms. Montoy presented the staff report.

No member of the public requested to speak when provided the opportunity and there was no Board discussion.

Moved by Mr. Williams and seconded by Ms. Polanski to approve Resolution No. 87 which extends the Administrative Service Agreement to June 30, 2018. The motion passed by the following vote: **AYES:** Corpus, Knopf, McInerney, Polanski, Tinsley and Williams **NOES:** 0 **ABSENT:** Mendizabal **ABSTAIN:** 0

VII. NEXT MEETING

A. Identify Potential Agenda Items.

1. Responses to RFP related to 230 N. Main Street.
2. Potential amendments to Recognized Obligation Payment Schedule (ROPS) for the second half of fiscal year from January 1, 2018 through June 30, 2018.

B. Set Date and Time.

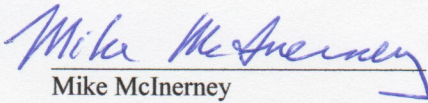
Board members indicated a quorum would be available for an "on call" meeting on September 26, 2017 at 1:30 p.m. in case the Successor Agency needs to amend the ROPS for FY 2017-18 and for a second meeting on November 8, 2017 at 1:30 p.m. to consider responses to the RFP related to 230 N. Main Street.

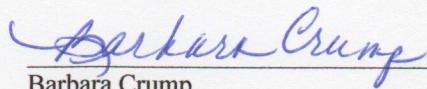
VIII. MEETING ADJOURNMENT

Moved by Mr. Knopf and seconded by Ms. Polanski, Chair McInerney adjourned the meeting at 2:57 on the consensus of the Board.

Meeting minutes drafted and submitted by
Barbara Crump, Board Secretary

Approved on November 8, 2017


Mike McInerney
Oversight Board Chair


Barbara Crump
Oversight Board Secretary